



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/663,045	09/13/2003	David J. Laverick	702.276	1970
38933 7590 07/31/2008 GARMIN LTD. C/O GARMIN INTERNATIONAL, INC. ATTN: Legal - IP 1200 EAST 151ST STREET OLATHE, KS 66062				
EXAMINER				
DIACOU, ARI M				
ART UNIT		PAPER NUMBER		
3663				
NOTIFICATION DATE		DELIVERY MODE		
07/31/2008		ELECTRONIC		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

PATENTS@GARMIN.COM

Office Action Summary

Application No.

10/663,045

Applicant(s)

LAVERICK ET AL.

Examiner

ARI M. DIACOU

Art Unit

3663

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 April 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3,5-7, 23-26 and 28-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3,5-7, 23-26 and 28-30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SF/08)
Paper No(s)/Mail Date 4-21-2008
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Response to Arguments

1. Applicant's argues in remarks filed 4-21-2008 that the cited art does not teach all the aspects of the amended claimed invention. These remarks are moot in view of the new rejection presented below, which was necessitated by amendment.

Claim Rejections - 35 USC § 103

2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

3. Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Schoenfish (USP No. 6370037) in view of Sturt (USP No. 2003/0184111) and Meyers (USP No. 6102284). Schoenfish discloses a navigation assembly for use in a vehicle not originally equipped with navigational capabilities, the navigation assembly comprising:

- a portable navigational device; [Fig. 1, #12] and
- a mounting assembly [Fig. 1, #10] for mounting on a vehicle [Fig. 1, #68] and sized and configured to removably receive [Figs. 2-3] the navigational device [#12], wherein the navigation device remains visible when received within the mounting assembly [Fig. 3] and is functional as a navigation device both when received within the mounting assembly [Fig. 3] and when being used independently of the mounting assembly [Fig. 5].

Art Unit: 3663

but fails to disclose mounting the mounting assembly to a support pillar on a vehicle, or the mounting assembly with a retractable faceplate as claimed. Sturt teaches a method of securing a navigation device 18 [¶ 0022] to the roof of a vehicle including retainer #26, which reads on applicant's support pillar. Therefore, it would have been obvious to one skilled in the art (e.g. a mechanical or ergonomic engineer) at the time the invention was made, to combine the detachable electronic mounting apparatus of Schoenfish with the overhead console of Sturt by mounting the apparatus #10 of Schoenfish to the retainer #26 of Sturt as suggested in Col. 4, lines 37-38, for the advantage of using the electronic devices enumerated in [0023] of Sturt or [Col 1, lines 18-23] of Schoenfish inside or outside of the vehicle of Sturt as suggested by Schoenfish [Col. 1, lines 24-45]. The combination of Schoenfish and Sturt still fails to teach the mounting assembly with the retractable faceplate as claimed. Meyers teaches a docking cradle for a wireless device [Figs. 2 and 3] including:

- the mounting assembly [10] including-
 - a trim piece [retainers 20 and 22],
 - a base [32] secured to the trim [retainers 20 and 22],
 - a docking station [cavity 36 or 24] mounted within the base [32] for removably docking with the navigation device [12], and
 - a retractable face plate [leveling tray 34] mounted within the docking station [cavity 36 or 24] and operable to retract when the navigation device is received within the docking station and extend when the navigation

device is removed from the docking station, thereby covering the void left in the docking station [Col. 9, lines 17-28]

Therefore, it would have been obvious to one skilled in the art (e.g. a mechanical or ergonomic engineer) at the time the invention was made, to use the idea of a removable GPS navigator with a coupling mechanism in a car that didn't come installed with a navigator, and install it in the top column of a vehicle as taught by Sturt, using the cradle mechanism of Meyers for the advantage of being able to easily remove the navigator with one hand (as taught by Meyers Col. 1, lines 15-16).

4. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Schoenfish in view of Sturt and Meyers as applied to claim 1 above. Schoenfish in view of Sturt and Meyers discloses the invention with all the limitations of claim 1, but fails to disclose explicitly that the electronic devices 12 described in column 3, lines 9-20 are made to fit the 14, 16 and 70 which are installed in the vehicle, or if 14, 16 and 70 are configured to fit electronic device 12. Schoenfish does teach various possibilities of electronic device, and refers to the apparatus 10, as 14 and 16, implying that 14 and 16 are designed after the electronic device housing. [Col. 3, lines 8-19]. Therefore, it would have been obvious to one skilled in the art (e.g. a mechanical engineer) at the time the invention was made, to have a navigational device "that is designed to be used independently of the vehicle rather than being particularly sized and configured to fit an existing space within the vehicle", for the advantage of increasing consumer choice (any

electronic device) and reducing consumer cost (modification costs less than a new electronic device with a custom housing).

5. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Schoenfish in view of Sturt and Meyers as applied to claim 1 above, and further in view of Meade's catalogue (NPL). Schoenfish in view of Sturt and Meyers discloses the invention with all the limitations of claim 1, but fails to disclose explicitly that the electronic devices 12 described in column 3, lines 9-20 are made to fit the 14, 16 and 70 which are installed in the vehicle, or if 14, 16 and 70 are configured to fit electronic device 12. Meade teaches a two phase coupler that attaches a camera to a telescope. "the T-Adapter threads to the rear cell of the telescope, followed by a T-mount appropriate to the user's brand of 35mm camera. In this way the camera body is rigidly coupled to the telescope's optical system, which in effect becomes the camera's lens." [Page 2]. Therefore, it would have been obvious to one skilled in the art (e.g. a mechanical engineer) at the time the invention was made, to have a navigational device "that is designed to be used independently of the vehicle rather than being particularly sized and configured to fit an existing space within the vehicle", for the advantage of increasing consumer choice (any electronic device) and reducing consumer cost (modification costs less than a new electronic device with a custom housing).

6. Claims 3-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schoenfish in view of Sturt and Meyers and Meade as applied to claim 2 above.

Art Unit: 3663

Schoenfish and Sturt (and possibly Meade) disclose the invention with all the limitations of claim 2.

- Regarding claim 3, Sturt discloses an overhead console system 10 [0022], and a infotainment system 18 [0023] with its screen facing left. That implies that eyes are facing right, which implies that the windshiled is on the right, which means that , it would have been obvious to one skilled in the art (e.g. a mechanical engineer) at the time the invention was made, to place the retainer 26 directly above the windshield, as suggested by Sturt.
- Regarding claim 5, Schoenfish discloses that windows 22 and 60 are for electrical connections. [Col. 4, lines 43-45]
- Regarding claim 6, Sturt discloses that 18 may be an audiovisual infotainment system [0005] and navigation systems [0033], therefore it would have been obvious to one skilled in the art (e.g. an ergonomic engineer) at the time the invention was made, to use an audible navigation device (which would be included by the docking station) for providing audible navigation instructions, for the advantage of preserving the driver's visual attention on the road.
- Regarding claim 7, the limitations thereof are inherent to all GPS devices.

7. Claim 24 is rejected under 35 U.S.C. 103(a) as being unpatentable over Schoenfish (USP No. 6370037) in view of Sturt (USP No. 2003/0184111) and Meyers (USP No. 6102284). Schoenfish discloses a navigation assembly for use in a vehicle

not originally equipped with navigational capabilities, the navigation assembly comprising:

- a stand-alone hand-held portable navigational device; [Fig. 1, #12] and
- a mounting assembly [Fig. 1, #10] for mounting within the vehicle and operable to removably receive the navigational device [#12], such that the navigation device remains visible and fully functional when received within the mounting assembly [Fig. 3]

but fails to disclose mounting the mounting assembly to a support pillar on a vehicle or the mounting assembly with a retractable faceplate as claimed. Sturt teaches a method of securing a navigation device 18 [¶ 0022] to the roof of a vehicle including retainer #26, which reads on applicant's support pillar. Therefore, it would have been obvious to one skilled in the art (e.g. a mechanical or ergonomic engineer) at the time the invention was made, to combine the detachable electronic mounting apparatus of Schoenfish with the overhead console of Sturt by mounting the apparatus #10 of Schoenfish to the retainer #26 of Sturt as suggested in Col. 4, lines 37-38, for the advantage of using the electronic devices enumerated in [0023] of Sturt or [Col 1, lines 18-23] of Schoenfish inside or outside of the vehicle of Sturt as suggested by Schoenfish [Col. 1, lines 24-45]. The combination of Schoenfish and Sturt still fails to teach the mounting assembly with the retractable faceplate as claimed. Meyers teaches a docking cradle for a wireless device [Figs. 2 and 3] including:

- the mounting assembly [10] including-

- a docking station [cavity 36 or 24] mounted within the base [32] for removably docking with the navigation device [12], and
- a retractable face plate [leveling tray 34] mounted within the docking station [cavity 36 or 24] and operable to retract when the navigation device is received within the docking station and extend when the navigation device is removed from the docking station, thereby covering the void left in the docking station [Col. 9, lines 17-28]

Therefore, it would have been obvious to one skilled in the art (e.g. a mechanical or ergonomic engineer) at the time the invention was made, to use the idea of a removable GPS navigator with a coupling mechanism in a car that didn't come installed with a navigator, and install it in the top column of a vehicle as taught by Sturt, using the cradle mechanism of Meyers for the advantage of being able to easily remove the navigator with one hand (as taught by Meyers Col. 1, lines 15-16).

8. Claim 25 is rejected under 35 U.S.C. 103(a) as being unpatentable over Schoenfish in view of Sturt and Meyers as applied to claim 1 above. Schoenfish in view of Sturt and Meyers discloses the invention with all the limitations of claim 24, but fails to disclose explicitly that the electronic devices 12 described in column 3, lines 9-20 are made to fit the 14, 16 and 70 which are installed in the vehicle, or if 14, 16 and 70 are configured to fit electronic device 12. Schoenfish does teach various possibilities of electronic device, and refers to the apparatus 10, as 14 and 16, implying that 14 and 16 are designed after the electronic device housing. [Col. 3, lines 8-19]. Therefore, it would

have been obvious to one skilled in the art (e.g. a mechanical engineer) at the time the invention was made, to have a navigational device "that is designed to be used independently of the vehicle rather than being particularly sized and configured to fit an existing space within the vehicle", for the advantage of increasing consumer choice (any electronic device) and reducing consumer cost (modification costs less than a new electronic device with a custom housing).

9. Claim 25 is rejected under 35 U.S.C. 103(a) as being unpatentable over Schoenfish or Schoenfish in view of Sturt as applied to claim 1 above, and further in view of Meade's catalogue (NPL). Schoenfish in view of Sturt and Meyers discloses the invention with all the limitations of claim 24, but fails to disclose explicitly that the electronic devices 12 described in column 3, lines 9-20 are made to fit the 14, 16 and 70 which are installed in the vehicle, or if 14, 16 and 70 are configured to fit electronic device 12. Meade teaches a two phase coupler that attaches a camera to a telescope. "the T-Adapter threads to the rear cell of the telescope, followed by a T-mount appropriate to the user's brand of 35mm camera. In this way the camera body is rigidly coupled to the telescope's optical system, which in effect becomes the camera's lens." [Page 2]. Therefore, it would have been obvious to one skilled in the art (e.g. a mechanical engineer) at the time the invention was made, to have a navigational device "that is designed to be used independently of the vehicle rather than being particularly sized and configured to fit an existing space within the vehicle", for the advantage of

Art Unit: 3663

increasing consumer choice (any electronic device) and reducing consumer cost (modification costs less than a new electronic device with a custom housing).

10. Claims 26-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schoenfish and Sturt or Schoenfish, Sturt and Meade as applied to claim 2 above.

Schoenfish and Sturt (and possibly Meade) disclose the invention with all the limitations of claim 2.

- Regarding claim 26, Sturt discloses an overhead console system 10 [0022], and a infotainment system 18 [0023] with its screen facing left. That implies that eyes are facing right, which implies that the windshiled is on the right, which means that , it would have been obvious to one skilled in the art (e.g. a mechanical engineer) at the time the invention was made, to place the retainer 26 directly above the windshield, as suggested by Sturt.
- Regarding claim 28, Sturt discloses that 18 may be an audiovisual infotainment system [0005] and navigation systems [0033], therefore it would have been obvious to one skilled in the art (e.g. an ergonomic engineer) at the time the invention was made, to use an audible navigation device (which would be included by the docking station) for providing audible navigation instructions, for the advantage of preserving the driver's visual attention on the road.
- Regarding claim 29, Schoenfish discloses that windows 22 and 60 are for electrical connections. [Col. 4, lines 43-45]
- Regarding claim 30, the limitations thereof are inherent to all GPS devices.

Conclusion

11. The references made herein are done so for the convenience of the applicant. They are in no way intended to be limiting. The prior art should be considered in its entirety.

12. The prior art which is cited but not relied upon is considered pertinent to applicant's disclosure.

13. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ari M. Diacou whose telephone number is (571) 272-5591. The examiner can normally be reached on Monday - Friday, 8:30 am - 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jack Keith can be reached on (571) 272-6878. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/AMD/

29-Jul-08

/Jack W. Keith/

Supervisory Patent Examiner, Art Unit 3663